

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY Kaplan, J.  
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DATE FILED: 10/29/2014

MICHELLE CLINE and KELLY ENGSTROM,  
Individually and On Behalf Of All Others  
Similarly Situated,

Plaintiffs,

vs.

TOUCHTUNES MUSIC CORPORATION,

Defendant.

Index No.: 14 Civ. 4744 (LAK)

**STIPULATION AND**  
**PROPOSED ORDER**

**WHEREAS**, by Summons and Complaint, dated July 23, 2014, plaintiffs Michelle Cline and Kelly Engstrom (“Plaintiffs”) commenced this action;

**WHEREAS**, on September 17, 2014, the parties stipulated, and the Court so ordered, that the defendant TouchTunes Music Corporation’s (“Defendant”) time to respond to Plaintiffs’ Complaint would be extended to October 22, 2014;

**WHEREAS**, on October 22, 2014, Defendant moved to dismiss the Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(6), and 23(d)(1)(D) (the “Motion”);

**WHEREAS**, the counsel for the parties have met and conferred concerning briefing of the Motion and discovery; and

**WHEREAS**, no prior extensions have been requested concerning briefing on the Motion,

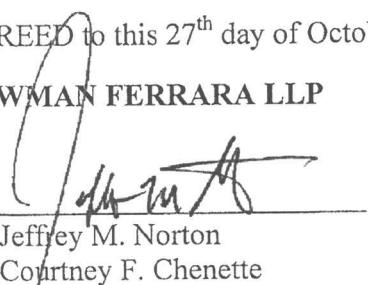
**WHEREFORE, IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned counsel for the parties as follows:

1. Plaintiffs’ brief in opposition to the Motion shall be filed by December 8, 2014;
2. Defendants’ brief in reply and in further support of Motion, if any, shall be filed an by December 23, 2014; and

3. Absent agreement by the parties, until such time as there is a final determination of the Motion, all discovery shall be stayed.

AGREED to this 27<sup>th</sup> day of October 27, 2014,

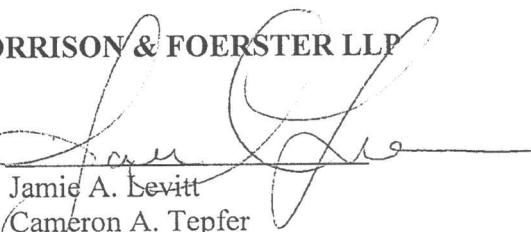
**NEWMAN FERRARA LLP**

By: 

Jeffrey M. Norton  
Courtney F. Chenette  
1250 Broadway, 27th Fl.  
New York, NY 10001  
Tel.: (212) 619-5400  
Fax: (212) 619-3090  
[jnorton@nflp.com](mailto:jnorton@nflp.com)  
[cchenette@nflp.com](mailto:cchenette@nflp.com)

*Counsel for Plaintiffs*

**MORRISON & FOERSTER LLP**

By: 

Jamie A. Levitt  
Cameron A. Tepfer  
250 West 55<sup>th</sup> St.  
New York, NY 10019  
Tel.: (212) 468-8000  
Fax: (212) 468-7900  
[jlevitt@mofo.com](mailto:jlevitt@mofo.com)  
[ctepfer@mofo.com](mailto:ctepfer@mofo.com)

*Counsel for Defendant*

**SO ORDERED**

Dated this 27<sup>th</sup> day of October, 2014

  
Hon. Lewis A. Kaplan  
U.S. District Court, N.Y. 

Hon. Loretta A. Preska, U.S.D.J.